

**RESOLUTION NO. 2008-6**

**A RESOLUTION OF THE MAYOR AND VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA URGING MEMBERS OF THE FLORIDA LEGISLATURE DURING THE 2008 LEGISLATIVE SESSION TO SUPPORT AN AMENDMENT TO SECTION 403.524 OF THE FLORIDA STATUTES, RELATING TO THE TRANSMISSION SITING ACT, TO PROVIDE FOR INPUT FROM MUNICIPALITIES AND MORE OVERSIGHT FROM THE PUBLIC SERVICE COMMISSION; PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the Florida Public Service Commission has limited oversight over the siting of transmission lines by electrical utility companies providing services in Florida; and

**WHEREAS**, electrical utility companies are allowed to install extremely large poles to accommodate transmissions lines as long as the lines are less than fifteen (15) miles in length and do not cross a county line with first seeking certification from the Public Service Commission or the Department of Environmental Protection; and

**WHEREAS**, municipalities have been denied the ability to challenge the siting of transmission lines in their municipalities if the lines are less than fifteen (15) miles in length and do not cross a county line; and

**WHEREAS**, Florida's municipalities should be given a method of redress when transmission lines are proposed to be placed in their boundaries; and

**WHEREAS**, Florida legislature is capable of amending the current provisions of Section 403.524 to require that all transmission lines siting within the boundaries of a municipality must be presented to the Public Service Commission and Department of Environmental Protection and municipalities given an opportunity to be heard in favor or opposed; and

**WHEREAS**, the siting of transmission lines in a municipality can pose safety and health issues for the citizens of the municipality; and

**WHEREAS**, the City of North Miami was recently unable to challenge the placement of transmission lines on one of the major thoroughfares in the City where two new schools are being constructed; and

**WHEREAS**, the Mayor and Village Commission are concerned that Florida Power & Light will continue to place transmission lines in area which are not in the best interest of its citizens without oversight from any department or commission;

**NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA:**

**Section 1. Mayor and Village Commission's Urging support of Legislative**

**Priority Issues.** The Mayor and Village Commission of the Village of Biscayne Park hereby urge Governor Charlie Crist and the members of the Florida Legislature to support legislation that:

- Amends Section 403.524 and requires all electrical utilities to seek certification for all transmission lines, without exceptions; and
- Require electrical utilities to notify municipalities of proposed sites for transmission lines and full disclosure of the method utilized to determine the route of the transmission lines and efforts taken to de-minimize the impact on the municipality affected; and
- Empower the Florida Public Service Commission to hear disputes between electrical utilities and municipalities regarding transmission lines routes; and
- Authorize the filing of civil litigation by a municipality to challenge the siting of transmission lines under certain conditions.

**Section 2. Directions to Clerk.** The Village Clerk is hereby directed to forward a copy of this resolution to Governor Charlie Crist, Senate President Ken Pruitt, House Speaker Marco Rubio and members of the Florida Legislature.

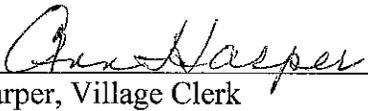
**Section 3. Effective date.** This resolution shall become effective

immediately upon adoption.

**The foregoing resolution upon being put to a vote, the vote was as follows:**

  
\_\_\_\_\_  
John Hornbuckle, Mayor

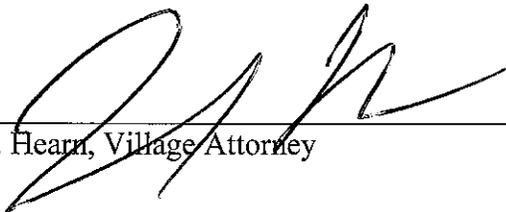
Attest:

  
\_\_\_\_\_  
Ann Harper, Village Clerk

Mayor Hornbuckle yes  
Vice Mayor Bernard yes  
Commissioner Morris yes  
Commission Mallette yes  
Commissioner Anderson yes

Approved as to form:

Approved at Commission Meeting  
April 1, 2008

  
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John J. Hearn, Village Attorney